

CITY OF SALINA, KANSAS
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
April 9, 2007
4:00 p.m.

The City Commission convened at 3:45 p.m. in a Study Session for a Citizen's Forum. The Regular Meeting of the Board of Commissioners was called to order at 4:00 p.m. in Room 107, City-County Building. A roll call was taken followed by the Pledge of Allegiance and a moment of silence.

There were present:

Mayor Donnie D. Marrs, Chairman presiding
Commissioner Alan E. Jilka
Commissioner Deborah P. Divine
Commissioner R. Abner Perney
Commissioner John K. Vanier II

comprising a quorum of the Board, also present:

Jason A. Gage, City Manager
Greg Bengtson, City Attorney
Penny Day, Deputy City Clerk

Absent: None

CITIZEN FORUM

None.

AWARDS - PROCLAMATIONS

(4.1) Resolution No. 07-6363 expressing gratitude and appreciation to Waste Waster Plant Operator II Arthur W. Grover for his employment with the City of Salina from May 31, 1972 to April 13, 2007.

Mayor Marrs presented Mr. Grover his plaque and thanked him for his years of service.

07-7527 Moved by Commissioner Divine, seconded by Commissioner Jilka, to approve Resolution No. 07-6363. Aye: (5). Nay: (0). Motion carried.

(4.2) The day of April 27, 2007 as 'Arbor Day' in the City of Salina. John Wachholz, Tree Board Chairman, read the proclamation and announced upcoming events.

PUBLIC HEARINGS AND ITEMS SCHEDULED FOR A CERTAIN TIME

None.

CONSENT AGENDA

(6.1) Approve the minutes of April 2, 2007.

(6.2) Award the bid for 40 personal computers and XP Pro operating systems to mwave.com in the amount of \$25,000.

(6.3) Resolution No. 07-6381 authorizing the City Manager to execute a First Amendment to Agreement with Kansas Legal Services.

(6.4) Authorize purchase of playground equipment to be installed at the Salina Soccer Complex.

Commissioner Divine thanked the Salina Rotary Club for the financing that they provided for the playground equipment at the Salina Soccer Complex.

07-7528 Moved by Commissioner Divine, seconded by Commissioner Jilka, to approve the consent agenda as presented. Aye: (5). Nay: (0). Motion carried.

DEVELOPMENT BUSINESS

(7.1) Consider request to modify the Protective Covenants in the Holiday Resort Addition regarding the property described as Lot 1, Block 2 Holiday Resort Addition and addressed as 125 N. Eastmoor Drive.

Dean Andrew, Director of Planning and Community Development, explained the history of this item and the reason for the City of Salina being the custodian of the covenants for this subdivision. Mr. Andrew then responded to Mayor Marrs' question regarding if the other property owners in the subdivision have been notified of this request.

Mike Butler, 125 N. Eastmoor Dr., explained the reason for his request, and also that he has spoken to the neighbors to the east of his property and that they have no objection to the request. Mr. Butler then responded to Mayor Marrs' question regarding the driveway approach to the new garage and Commissioner Perney's question if he was aware of the covenants when he purchased the property.

Mayor Marrs noted that there are only four lots in this subdivision that would be able to accommodate this request. Mr. Andrew responded to Mayor Marrs.

Mr. Andrew and Greg Bengtson, City Attorney, responded to Commissioner Jilka's question regarding who is legally responsible to notify a buyer of covenants that are in place.

Mr. Andrew responded to Mayor Marrs' question on how long the covenants would be in place and the possibility of turning over the governance of the covenants to the property owners. Mr. Andrew then responded to Commissioner Perney's questions on terminating the covenants entirely.

07-7529 Moved by Commissioner Divine, seconded by Commissioner Vanier, to agree to modify the limitation on the attached garages in Section 2 of the Protective Covenants as it applies to the Butlers property, and to notify the property owners of this subdivision in order to have a neighborhood meeting to discuss the future of the covenants.

Commissioner Jilka asked Commissioner Divine to clarify her motion. Commissioner Divine responded.

Mr. Andrew then responded to Commissioner Jilka's question regarding what the time frame would be in getting the covenants turned over to the property owners.

Mayor Marrs called the question. Aye: (4). Nay: (1) Jilka. Motion carried.

(7.2) Application #Z07-4, filed by Donnie Marrs, requesting a change in zoning district classification from RS (Residential Suburban) to PC-1 (Planned Restricted Business) district on property addressed as 106 S. Holmes Road.

(7.2a) First reading Ordinance No. 07-10384.

(7.2b) Consider acceptance of an easement and right-of-way dedication in the Scoular Addition.

Mayor Marrs recused himself due to a conflict of interest.

Vice-Mayor Jilka assumed the chair.

Dean Andrew, Director of Planning and Community Development, explained the request, and the Planning Commission's recommendation. Mr. Andrew also noted the reason for the suggested zoning district classification.

Mr. Andrew responded to Commissioner Perney's question regarding who owns the two roads that abut this property, and who makes the final decision regarding plat approval.

07-7530 Moved by Commissioner Divine, seconded by Commissioner Vanier, to adopt Ordinance No. 07-10384 on first reading to change the zoning district classification from RS (Residential Suburban) to PC-1 (Planned Restricted Business) district on property addressed as 106 S. Holmes Road. Aye: (4) Nay: (0). Abstained: (1) Marrs. Motion carried.

Mr. Andrew continued to explain the proposed dedication, and the Planning Commission's recommendation.

Commissioner Perney commented that he did not think that Country Club Drive should have private drive access. Mr. Andrew responded to Commissioner Perney noting the reason why staff had encouraged the drive to remain open.

07-7531 Moved by Commissioner Divine, seconded by Commissioner Vanier, to accept the offered easement and right-of-way dedications in Scoular Addition along with the 10 year assurances as outlined by staff. Aye: (4) Nay: (0). Abstained: (1) Marrs. Motion carried.

Mayor Marrs resumed the chair.

ADMINISTRATION

(8.1) Second reading Ordinance No. 06-10323 amending Chapter 8, Article III of the Salina Code pertaining to Building Contractor and Skilled Trade Contractor Licensing.

Greg Bengtson, City Attorney, explained the changes that have been made since first reading of the ordinance.

Mayor Marrs reported that Ordinance No. 06-10323 was passed on first reading on April 2, 2007.

Mayor Marrs noted that staff had made the changes that were requested, and thanked them for their efforts.

07-7532 Moved by Commissioner Jilka, seconded by Commissioner Perney, to adopt Ordinance No. 06-10323 on second reading. A roll call was taken. Aye: (5) Divine, Jilka, Perney, Vanier, Marrs. Nay: (0). Motion carried.

(8.2) Agreement with Layne-Western for a Well Field Evaluation Study, Project No. 07-2644.

Martha Tasker, Director of Utilities, explained the reasons for the study.

Ms. Tasker responded to Commissioner Vanier's questions regarding if this agreement included any work being done on the wells, and what artificial recharge meant.

07-7533 Moved by Commissioner Vanier, seconded by Commissioner Divine, to approve the agreement with Layne-Western, a division of Layne Christensen Company of Kansas City, Kansas, in an amount not to exceed \$31,803. Aye: (5). Nay: (0). Motion carried.

(8.3) Amend the 2007 Computer Technology sub-CIP to include finances for a project to extend the existing city owned fiber network from General Services to the Bicentennial Center.

Jack Rolfs, Director of Computer Technology, explained the proposed project. Mr. Rolfs then responded to Commissioner Perney's question if the fiber that belonged to Cox Communications which we had been using was located above ground and Commissioner Vanier's question regarding the capacity of the new fiber versus the old fiber.

07-7534 Moved by Commissioner Vanier, seconded by Commissioner Divine, to amend the 2007 Computer Technology sub-CIP budget by increasing it by \$50,000 to a total of \$300,000. Aye: (5). Nay: (0). Motion carried.

(8.4) Resolution No. 07-6382 formally communicating to the Kansas Water Office and the United States Army Corps of Engineers the City of Salina's comments regarding a pending request for a deviation from the release schedule from Kanopolis Lake.

Mike Schrage, Deputy City Manager, explained the proposed deviation request. Mr. Schrage also noted that staff had received notice of the request being withdrawn.

Commissioner Divine complimented staff on the work done on this complicated issue.

Jason Gage, City Manager, responded to Commissioner Perney comment regarding Section 3 of the resolution and Commissioner Jilka's question regarding selling water rights.

Mr. Schrage noted that the Kansas Water Office had not yet received a copy of our resolution.

07-7535 Moved by Commissioner Divine, seconded by Commissioner Perney, to approve Resolution No. 07-6382. Aye: (5). Nay: (0). Motion carried.

(8.5) Resolution No. 07-6383 establishing the City of Salina's participation in a joint City-County Task Force to review the feasibility of consolidating City and County governments.

Jason Gage, City Manager, explained the request from the League of Women Voters.

Mayor Marrs stated that he felt it is the proper thing for the City Commission to do, and that he looks forward to the Saline County Commission adopting a similar resolution.

Commissioner Jilka stated that he thought initiatives to increase efficiency of local government should always be explored.

07-7536 Moved by Commissioner Divine, seconded by Commissioner Jilka, to approve Resolution No. 07-6383. Aye: (5). Nay: (0). Motion carried.

Mayor Marrs announced that Item 8.7 would be presented before Item 8.6.

(8.7) Award of contract for the 2007 Asphalt Arterial Major Maintenance Bituminous Mill and Inlay, Project No. 07-1621.

Karlton Place, City Engineer, addressed the concerns previously expressed with the condition of certain streets. Mr. Place explained staffs recommendation to change the mix that is used, the depth of the application, and the timing of the projects throughout the year in regards to the weather conditions.

Mayors Marrs stated that he felt that another option was to hold off on this project and review the entire street maintenance policy.

Mr. Place responded to Commissioner Vanier's question regarding the difference in the proposed mix.

Jason Gage, City Manager, commented on the proposed changes to the mix, depth, and timing of construction.

Mr. Gage responded to Mayor Marrs's question regarding if the city has any type of survey of all of the city streets, and the status of each within the maintenance plan.

07-7537 Moved by Commissioner Divine, seconded by Commissioner Perney, to award the contract for the 2007 Asphalt Arterial Major Maintenance Bituminous Mill & Inlay Project No. 07-1620 to APAC-Kansas Inc., Shears Division in the amount of \$1,040,072.32 with the condition that the new mix be used as well as adjust the depth of mill and inlay to two inches (2"). Aye: (5). Nay: (0). Motion carried.

(8.6) Award of contract for the 2007 Subdivision Improvements, Quail Meadows Estates, Phase III, Project No. 06-1608.

Karlton Place, City Engineer, explained the project, bids received, and project funding.

Mr. Place then responded to Commissioner Perney's question regarding the depth of the asphalt that will be used for this project.

07-7538 Moved by Commissioner Perney, seconded by Commissioner Jilka, to award the contract for the 2007 Subdivision Improvements, Quail Meadows Estates, Phase III, Project No. 06-1608 to APAC-KS Inc., in the amount of \$234,126.20. Aye: (5). Nay: (0). Motion carried.

(8.8) 2007 Water Action Plan.

Martha Tasker, Director of Utilities, reviewed the history of the overall water status. Ms. Tasker reviewed the current water level at Kanopolis Lane and presented the proposed Water Action Plan.

Commissioner Perney's stated that he would like to have the soil water sensing home irrigation systems to be included in Priority 2, Item C of the plan. Ms. Tasker responded.

Ms. Tasker then responded to Commissioner Vanier's question regarding the status of the rate structure review, and the water conservation tier rates.

07-7539 Moved by Commissioner Jilka, seconded by Commissioner Perney, to approve the 2007 Water Action Plan as outlined. Aye: (5). Nay: (0). Motion carried.

(8.9) Resolution No. 07-6385 adopting the proposed Position Classification and Salary Schedule.

Natalie Fischer, Director of Human Resources, explained the proposed changes.

Ms. Fisher and City Manager Jason Gage responded to Commissioner Vanier's question regarding the status of the evaluation criteria and how it will be implemented.

A discussion followed between Mr. Gage, Mayor Marrs, and Commissioner Vanier regarding merit increases, the pay plan adjustment for 2007, and the number of salaries that would be increase by the proposed plan.

Mayor Marrs stated the need to be able to deal employees who are in positions that they are incapable of handling.

Commissioner Divine felt that training should be made available to employees who need it.

07-7540 Moved by Commissioner Divine, seconded by Commissioner Perney, to approve Resolution No. 07-6385. Aye: (5). Nay: (0). Motion carried.

(8.9a) Resolution No. 07-6386 adopting changes to Articles 8, 9, and 10 of the *Personnel Manual*.

Natalie Fischer, Director of Human Resources, explained the proposed changes.

Commissioner Divine stated that she thought the words ‘he’ and ‘his’ in Article 8, Section 3 needed to be changed to more gender neutral phrases.

07-7541 Moved by Commissioner Vanier, seconded by Commissioner Divine, to approve Resolution No. 07-6386. Aye: (5). Nay: (0). Motion carried.

(8.9b) Resolution No. 07-6384 approving the proposed *Statement of Organizational Values*.

Jason Gage, City Manager, explained the proposed *Statement of Organizational Values*.

Commissioner Divine expressed her concern of the perception of the term ‘customer service’ being used to refer to the public.

07-7542 Moved by Commissioner Jilka, seconded by Commissioner Perney, to approve Resolution No. 07-6384. Aye: (5). Nay: (0). Motion carried.

(8.10) Review and request authorization for 2007 recommended staffing positions.

Jason Gage, City Manager, reviewed the requested additional positions and noted the recommended positions.

A discussion followed between Mayor Marrs and Police Chief James Hill regarding the need for an additional dispatcher, how the dispatch operations works, and required overtime..

Chief Hill responded to Commissioner Vanier ‘s question regarding the applicant pool for the Police Department.

07-7543 Moved by Commissioner Divine, seconded by Commissioner Perney, to authorize the additional personnel as requested. Aye: (5). Nay: (0). Motion carried.

OTHER BUSINESS

None.

ADJOURNMENT

07-7544 Moved by Commissioner Vanier, seconded by Commissioner Divine, that the Regular Meeting of the Board of Commissioners be adjourned. Aye: (5). Nay: (0). Motion carried. The meeting adjourned at 6:59 p.m.

Donnie D. Marrs, Mayor

[SEAL]
ATTEST:

Lieu Ann Elsey, City Clerk